

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 233-108

C# M#

GORDON

TC/A.U. 3763

Serial No. 10/042,169

Examiner: K. Thompson

Filed: January 10, 2002

Date: November 22, 2004

(Monday)

Title: APPARATUS AND METHOD FOR DISPENSING PET CARE SUBSTANCES



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Correspondence Address Indication Form Attached.

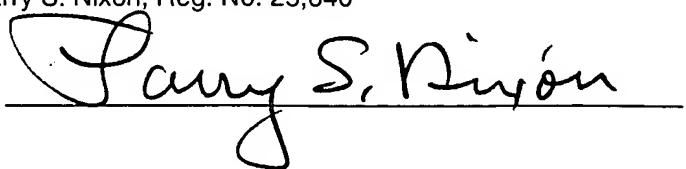
Fees are attached as calculated below:

Total effective claims after amendment	0	minus highest number		
previously paid for	20	(at least 20) =	0 x \$ 18.00	\$ 0.00
Independent claims after amendment	0	minus highest number		
previously paid for	3	(at least 3) =	0 x \$ 88.00	\$ 0.00
If proper multiple dependent claims now added for first time, add \$300.00 (ignore improper)				\$ 0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$430.00/2 months; \$980.00/3 months)				\$ 0.00
Terminal disclaimer enclosed, add \$ 110.00				\$ 0.00
<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$790.00)				\$ 0.00
<input type="checkbox"/> Please enter the previously unentered , filed				
<input type="checkbox"/> Submission attached				
			Subtotal	\$ 0.00
If "small entity," then enter half (1/2) of subtotal and subtract			-\$	0.00
<input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith				
Rule 56 Information Disclosure Statement Filing Fee (\$180.00)			\$	0.00
Assignment Recording Fee (\$40.00)			\$	0.00
Other:				0.00
			TOTAL FEE ENCLOSED	\$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: Larry S. Nixon, Reg. No. 25,640

Signature: 



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JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

GORDON Atty. Ref.: 233-108; Confirmation No. 7650

Appl. No. 10/042,169 TC/A.U. 3763

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For: APPARATUS AND METHOD FOR DISPENSING PET CARE SUBSTANCES

* * * * *

November 22, 2004 (Monday)

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Sir:

RESPONSE

In response to the Communication dated 10/20/2004 further consideration of this application is requested in line with the following remarks.

The Communication dated 10/20/2004 alleges that the response filed July 13, 2004 was not fully responsive because:

“Applicant has failed to distinguish the new claims over the prior art of record”.

However, the new claims are only dependent claims 32-35 and applicant has already explained why those claims add additional features to distinguish over the prior art in the second full paragraph at page 6 of the submission dated July 13, 2004. In addition, in the final paragraph on page 6 of that July 13, 2004 submission, applicant has also explained that dependent claims 32-35 are deemed allowable, at least in part, because they depend from independent claim 6 that has already been demonstrated as patentable with respect to the prior art.